

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ALICIA ARIE ARTHUR,

Defendant.

**CR-12-48-GF-BMM-01**

**ORDER ADOPTING MAGISTRATE  
JUDGE'S FINDINGS AND  
RECOMMENDATIONS TO REVOKE  
DEFENDANT'S SUPERVISED RELEASE**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on April 28, 2016. (Doc. 92.) Neither party filed objections. When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 149-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on April 27, 2016. (Doc. 91.) Arthur admitted that she violated the conditions of her supervised release. The violations prove serious and warrant revocation of Arthur's supervised release.

Judge Johnston recommends that the Court revoke Arthur's supervised release.

Judge Johnston further recommends that the Court sentence Arthur to three months of imprisonment followed by 24 months of supervised release. (Doc. 92 at 6.)

Arthur's violation qualifies as a Grade C violation. She possess a criminal history score of IV. Arthur's underlying offense qualifies as a Class C felony.

Arthur could be incarcerated for up to 24 months. She could be ordered to remain on supervised release for up to 30 months, less any custody time imposed. The United States Sentencing Guidelines call for six to 12 months in custody.

The Court finds no clear error in Judge Johnston's Findings and Recommendations. Arthur's violation of her conditions of supervised release represent a serious breach of the Court's trust. A sentence of three months custody, with credit for time served, followed by 24 months of supervised release represents a sufficient, but not greater than necessary, sentence.

**IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 92) is **ADOPTED IN FULL**.

**IT IS FURTHER ORDERED** that Defendant Alicia Arie Arthur shall be sentenced to three months imprisonment. Arthur shall receive credit for time served. The Court orders 24 months of supervised release to follow Arthur's term of imprisonment.

DATED this 16th day of May, 2016.



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Brian Morris  
United States District Court Judge